

MEMORANDUM

AUGUST 29, 1984

Doc. # 4492

TO: BOSTON REDEVELOPMENT AUTHORITY

FROM: STEPHEN F. COYLE, DIRECTOR

SUBJECT: SOUTH END URBAN RENEWAL AREA, MASS. R-56
EASEMENT FOR DRIVEWAY AND LOADING AREA
DISPOSITION PARCEL 14A

On October 30, 1969, the Authority made an eminent domain taking of Parcel 14A, located at 10-12 Benton Street, in the South End Urban Renewal Area, for redevelopment purposes. At the time of the taking and up to the present there was a common driveway, half of which was taken by the Authority, which driveway was used in common for the purpose of loading and unloading merchandise by the businesses located thereon.

It was not the intent in the order of taking to extinguish the abutter's use of this common driveway and to clear any title question concerning the abutter's use of this driveway. It is requested that a non exclusive easement be granted to the abutter that will confirm the existing use of the land.

An appropriate vote follows:

VOTED: that the Director is authorized to execute and deliver to Commonwealth Real Estate Investment Corporation a non exclusive easement substantially in form attached hereto for purposes for which driveways and loading areas are used.

DEED OF NON EXCLUSIVE EASEMENT

Boston Redevelopment Authority, a public body corporate and politic, having its usual place of business in Boston, Suffolk County, Massachusetts, for consideration paid and in full consideration of \$1____, grants to Commonwealth Real Estate Investment Corporation, a Massachusetts corporation with a principal place of business at 716 Columbus Avenue, Boston, Massachusetts, (the "Grantee") with quitclaim covenants, as appurtenant to the land of the Grantee described below, the following rights and easements:

The right and easement over the portions of the Grantor's premises (which premises are described in deed of Stuart Palmer to Grantor, dated August 26, 1969, and recorded in Suffolk Registry of Deeds, Book 8303, page 499), which portions are marked "Right of Way" on a plan entitled "Plan of Land in Boston - Mass.," dated July 7, 1984, Scale 1" = 20', prepared by George N. Giunta, R.L.S., which plan is recorded herewith, for the purposes of the passing and repassing of vehicles to and from the land of the Grantee described below, the loading and unloading of materials upon and from such vehicles, and for all other purposes for which driveways and loading areas are used in the City of Boston, together with the right to enter such Right of Way from time to time for the purpose of making repairs to the building existing on the land of the Grantee described below, all for the benefit of the Grantee's premises abutting on the north and described as Parcel I in deed of Abraham E. Halperin, Trustee to Real O. Roy, dated September 7, 1972, recorded with Suffolk Deeds at Book 8564, page 570, and in common with the Grantors and other lawfully entitled thereto.

The consideration for this conveyance being less than One Hundred Dollars (\$100.00); accordingly, no revenue stamps are affixed hereto.

IN WITNESS WHEREOF, the said Boston Redevelopment Authority has caused its corporate seal to be hereto affixed and these presents to be signed, acknowledged and delivered in its name and behalf by _____, its _____ hereto duly authorized this _____ day of _____ in the year 1984.

Signed and sealed in the presence
of:

BOSTON REDEVELOPMENT AUTHORITY

By _____

Stephen F. Coyle, Director

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

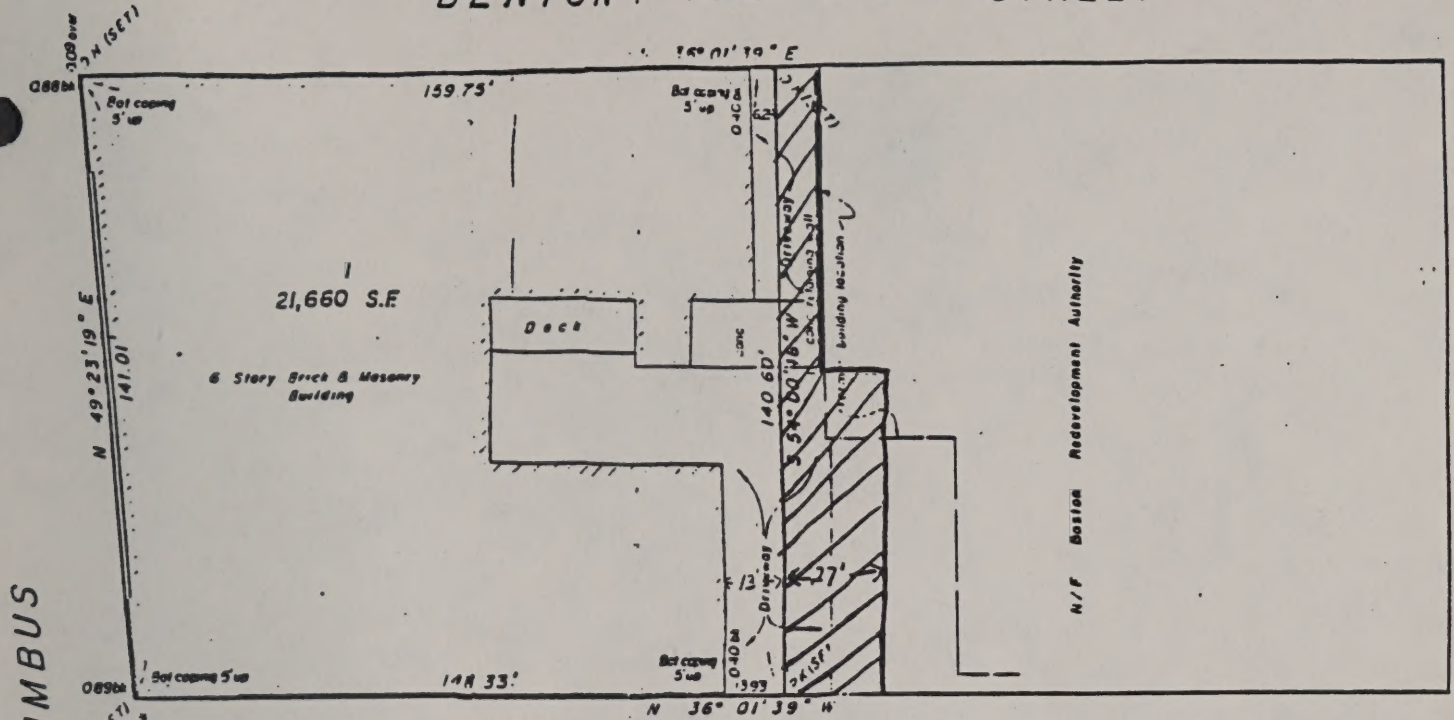
_____, 1984.

Then personally appeared the above named _____
_____, known to me to be the _____ of the Boston Redevelop-
ment Authority, and acknowledged the foregoing instrument to be the free act
and deed of said Authority, before me.

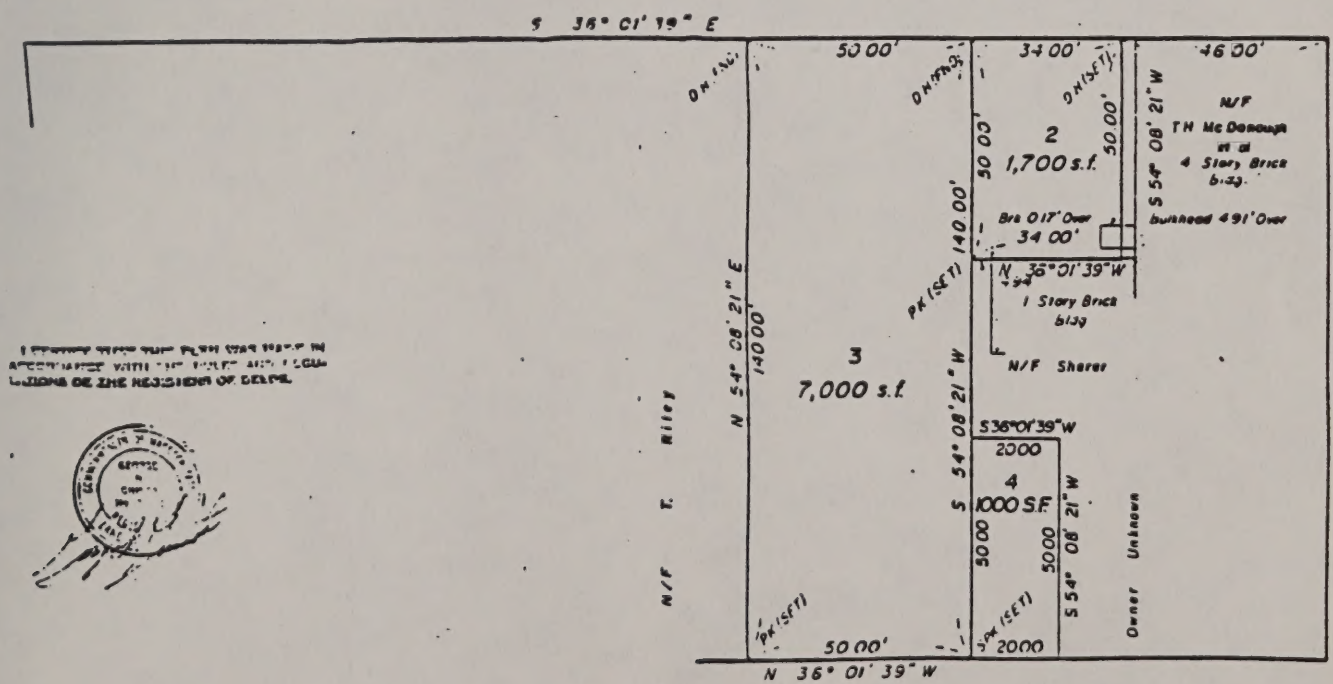
Notary Public

My Commission expires _____

BENTON (Public - 35.00' Wide) STREET



BURKE (Public - 35.00' Wide) STREET



1. PROPERTY MAPS THAT HAVE BEEN PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTRY OF DEEDS.



COVENTRY STREET

STREET

TREMONT